

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

STEPHEN M EVANS,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 1:23-cv-00391-MPB-TAB
	)	
MCGLOCKLIN,	)	
	)	
Defendant.	)	

**Order Screening Complaint and Directing Further Proceedings**

Stephen Evans, an inmate at Plainfield Correctional Facility, brought this civil action alleging that defendant Sergeant McGlocklin ignored his threats of self harm and used excessive force against him. Because Mr. Evans is a "prisoner," this Court must screen the complaint before service on the defendants. 28 U.S.C. § 1915A(a), (c).

**I. Screening Standard**

When screening a complaint, the Court must dismiss any portion that is frivolous or malicious, fails to state a claim for relief, or seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C. § 1915A(b). To determine whether a complaint states a claim, the Court applies the same standard as when addressing a motion to dismiss under Federal Rule of Civil Procedure 12(b)(6). *See Schillinger v. Kiley*, 954 F.3d 990, 993 (7th Cir. 2020). Under that standard, a complaint must include "enough facts to state a claim to relief that is plausible on its face." *Bell Atl. Corp. v. Twombly*, 550 U.S. 544, 570 (2007). "A claim has facial plausibility when the plaintiff pleads factual content that allows the court to draw the reasonable inference that the defendant is liable for the misconduct alleged." *Ashcroft v. Iqbal*, 556 U.S. 662, 678 (2009). The

Court construes *pro se* complaints liberally and holds them to a "less stringent standard than formal pleadings drafted by lawyers." *Cesal v. Moats*, 851 F.3d 714, 720 (7th Cir. 2017).

## **II. The Complaint**

Mr. Evans names one defendant: Sergeant McGlocklin. He alleges that he informed Sergeant McGlocklin on January 18, 2023, that he was suicidal. She told him to wait in his cell. Mr. Evans cut his wrist. When Sergeant McGlocklin returned 30 minutes later, she applied handcuffs tightly to Mr. Evans's wrists and pushed him up against the wall.

Mr. Evans seeks damages and injunctive relief.

## **III. Discussion of Claims**

Mr. Evans has stated claims for excessive force and deliberate indifference to a serious medical need, both under the Eighth Amendment. These claims **shall proceed**.

This summary of claims includes all of the viable claims identified by the Court. All other claims have been dismissed. If the plaintiff believes that additional claims were alleged in the complaint, but not identified by the Court, he shall have **through July 14, 2023**, to identify those claims.

## **IV. Service of Process**

The **clerk is directed** pursuant to *Fed. R. Civ. P.* 4(c)(3) to issue process to Sergeant McGlocklin in the manner specified by Rule 4(d). Process shall consist of the complaint, dkt. [1], applicable forms (Notice of Lawsuit and Request for Waiver of Service of Summons and Waiver of Service of Summons), and this Order.

The **clerk is directed** to serve the Indiana Department of Correction employee electronically.

Nothing in this Order prohibits the filing of a proper motion pursuant to Rule 12 of the Federal Rules of Civil Procedure.

**IT IS SO ORDERED.**

Dated: June 15, 2023

A handwritten signature in black ink, reading "Matthew P. Brookman", written over a horizontal line.

Matthew P. Brookman, Judge  
United States District Court  
Southern District of Indiana

Distribution:

Electronic service to Indiana Department of Correction employee:  
Sergeant McGlocklin  
(Plainfield Correctional Facility)

STEPHEN M EVANS  
286244  
PLAINFIELD - CF  
PLAINFIELD CORRECTIONAL FACILITY  
Inmate Mail/Parcels  
727 MOON ROAD  
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